

E-File: July 28, 2009

James I. Stang, Esq. (CA Bar No. 94435)
 Shirley S. Cho, Esq. (CA Bar No. 192616)
 Werner Disse, Esq. (CA Bar No. 143458)
PACHULSKI STANG ZIEHL & JONES LLP
 10100 Santa Monica Blvd., 11th Floor
 Los Angeles, California 90067-4100
 Telephone: 310/277-6910
 Facsimile: 310/201-0760
 Email: jstang@pszjlaw.com
 scho@pszjlaw.com
 wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)
LARSON & STEPHENS
 810 S. Casino Center Blvd., Ste. 104
 Las Vegas, NV 89101
 Telephone: 702/382.1170
 Facsimile: 702/382.1169
 Email: zlarson@lslawnv.com

Attorneys for Debtors and
 Debtors in Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
 (Jointly Administered)

Chapter 11

Affects:

Hearing Date: August 28, 2009

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

☐ All Debtors
☒ Affects the following Debtor(s)

Hearing Time: 1:30 p.m.
 Courtroom 1

RHODES RANCH GOLF COUNTRY
 CLUB, LLC

DEBTOR'S OBJECTION TO PAR 3 LANDSCAPE & MAINTENANCE, INC.'S CLAIM
PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY
RULES 3003 AND 3007 (NON-DEBTOR CLAIM)

Rhodes Ranch Golf Country Club, LLC and its affiliated debtors (collectively, the "Debtors"), by their undersigned counsel, hereby objects (the "Objection") to the claim of Par 3 Landscape & Maintenance, Inc. (the "Non-Debtor Claim") attached hereto as **Exhibit A**, due to the fact that the claim is a non-Debtor claim erroneously filed against the Debtors, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rules 3003 and 3007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and request the entry of an order (the "Order") disallowing and expunging in full the Disputed Claim as indicated in further detail below.² In support of this Objection, the Debtors rely on the *Declaration of Paul D. Huygens in Support of Debtors' Objection to Par 3 Landscape & Maintenance, Inc.'s Claim Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007* [Non-Debtor Claim], attached hereto as **Exhibit B**. In further support of this Objection, the Debtors respectfully represents as follows:

BACKGROUND

1. On March 31, 2009, the above-captioned Debtors (the "Primary Filers") except Tuscany Golf Country Club, LLC, Pinnacle Grading, LLC, and Rhodes Homes Arizona, LLC (the "Secondary Filers") filed voluntary petitions for relief under chapter 11 of title 11 of the Bankruptcy Code. On April 1, 2009, the Secondary Filers filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. All references to Petition Date herein shall mean March 31, 2009 for the Primary Filers or April 1, 2009 for the Secondary Filers, as applicable. The Debtors are continuing in possession of their property and are operating and managing their

² The Debtors reserve the right to file additional omnibus objections, whether on substantive or non-substantive grounds, to any and all other claims filed against their estates.

1 businesses, as debtors in possession, pursuant to sections 1107 and 1108 of the Bankruptcy
2 Code.

3 RELIEF REQUESTED

4 2. By this Objection, the Debtors seek entry of an order, pursuant to section 502(b)
5 of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, disallowing and expunging in full the
6 Non-Debtor Claim as indicated in further detail below.

7 OBJECTION

8 3. The Non-Debtor claim relates to expenses of the Rhodes Ranch golf course,
9 which was sold by the Debtors to Rhodes Ranch Golf, Inc. in December 2008 as required under
10 their credit agreement. Rhodes Ranch Golf, Inc. is a non-Debtor affiliate of the Debtors. The
11 Debtors have not operated the Rhodes Ranch golf course since December 2008; therefore, the
12 Non-Debtor Claim is not a valid claim against the Debtors, but rather is a claim against a non-
13 debtor affiliate of the Debtors upon information and belief. The Debtor sent the claimant a letter
14 requesting that the claimant withdraw its claim to avoid an objection being filed. See Exhibit C.
15 As of the date and filing of this Objection, no response has been received.

16 4. Bankruptcy Code section 502 authorizes a party in interest to object to claims.
17 *See* 11 U.S.C. §502(a). Although a proper proof of claim is presumed valid under Bankruptcy
18 Rule 3001(f), once an objection controverts the presumption, the creditor has the ultimate burden
19 of persuasion as to the validity and amount of the claim. *Ashford v. Consolidated Pioneer*
20 *Mortg. (In re Consolidated Pioneer Mortg.)*, 178 B.R. 222, 226 (B.A.P. 9th Cir. 1995), *aff'd*, 91
21 F.3d 151 (9th Cir. 1996) (quoting *In re Allegheny International, Inc.*, 954 F.2d 167, 173-74 (3d
22 Cir. 1992)). The Bankruptcy Appellate Panel for the Ninth Circuit explained the shifting
23 burdens of proof with respect to objection to proofs of claim as follows:

24 The burden of proof for claims brought in the bankruptcy court
25 under 11 U.S.C.A. § 502(a) rests on different parties at different
26 times. Initially, the claimant must allege facts sufficient to support
27 the claim. If the averments in his filed claim meet this standard of
28

sufficiency, it is “prima facie” valid. In other words, a claim that alleges facts sufficient to support a legal liability to the claimant satisfies the claimant’s initial obligation to go forward. . . . The burden of persuasion is always on the claimant.

Id. (emphasis added). Following this decision, the District Court for the Northern District of California emphasized, “unless the claimant has alleged ‘facts sufficient to support a legal liability, ‘the claim is not prima facie valid.’” *In re Hongnisto*, 293 B.R. 45, 50 (N.D. Cal. 2003) (quoting *Consolidated Pioneer Mortg.*, 178 B.R. at 266) (holding that the claimant’s proof of claim failed to allege sufficient facts to support a legal liability and consequently disallowed the proof of claim); *see Consolidated Pioneer Mortg.*, 178 B.R. at 227 (holding that because the proof of claim did not allege sufficient facts to support the claim, the proof of claim was disallowed).

5. Based on the Debtor’s review of its books and records and the proof of claim filed by the claimant, the claimant has no valid legal justification for asserting the filed claim against the Debtor. As a result, the Debtor submits that this claim should be expunged by the Court.

CONCLUSION

6. The Debtor objects to the allowance of the Non-Debtor Claim as set forth herein for the reasons stated herein, and the Debtor hereby moves this Court for an Order disallowing and expunging the Non-Debtor Claim.

NOTICE

7. No trustee or examiner has been appointed in these chapter 11 cases. Notice of this objection has been provided to (i) the United States Trustee for the District of Nevada, (ii) counsel to the Creditors’ Committee, (iii) the creditor for which the Debtors are objecting to the claim in this Objection in accordance with the address provided in the proof of claim for the Non-Debtor Claim, (iv) each person or entity that has filed a notice of appearance and request for special notice, and (v) other required parties pursuant to the Court’s case management order

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
 Tel: (702) 382-1170 Fax: (702) 382-1169

1 entered in these cases. The Debtors submit that in light of the nature of the relief requested
2 herein, no other or further notice is required.

3 8. Pursuant to Bankruptcy Rule 3007, the Debtors have provided the claimant
4 affected by this Objection with at least thirty (30) days' notice of the hearing on the Objection.

5 WHEREFORE, the Debtors respectfully request that the Court enter an Order,
6 substantially in the form attached hereto as **Exhibit D**, disallowing and expunging the Non-
7 Debtor Claim, and granting such other and further relief as the Court deems just an proper under
8 the circumstances of these chapter 11 cases.

9
10 **DATED** this 28th day of July, 2009.

11
12 **LARSON & STEPHENS**

13 /s/ Zachariah Larson, Esq.
14 Zachariah Larson, Bar No. 7787
15 Kyle O. Stephens, Bar No. 7928
16 810 S. Casino Center Blvd., Suite 104
17 Las Vegas, NV 89101
18 702/382-1170
19 Attorneys for Debtors and Debtors in
20 Possession
21
22
23
24
25
26
27
28

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

EXHIBIT A

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

Par-3 Landscape & Maintenance, Inc .

4610 Wynn Road, Suite B
Las Vegas, NV 89103

INVOICE

Invoice Number: 771840

Invoice Date: Mar 26, 2009

Page: 1

Duplicate

Voice: 702-253-7878

Fax: 702-253-7879

Bill To:

Rhodes Ranch
20 Rhodes Ranch Parkway
Las Vegas, NV 89148

Ship to:

Customer ID	Customer PO	Payment Terms	
RHOD-01		Net 15 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Julio Ramos		4/10/09

Quantity	Item	Description	Unit Price	Amount
1.00	40 cy Box	Location: Maintenance Shop Drop Box Ticket #96974 3/17/09 #364	480.00	480.00
Subtotal				480.00
Sales Tax				
Total Invoice Amount				480.00
Payment/Credit Applied				
TOTAL				480.00

Check/Credit Memo No:

Past due balances are subject to 18% Annual Finance Charge.

Par-3 Landscape & Maintenance, Inc .4610 Wynn Road, Suite B
Las Vegas, NV 89103**INVOICE**

Invoice Number: 771913

Invoice Date: Mar 27, 2009

Page: 1

Duplicate

Voice: 702-253-7878

Fax: 702-253-7879

Bill To:Rhodes Ranch
20 Rhodes Ranch Parkway
Las Vegas, NV 89148**Ship to:**

Customer ID	Customer PO	Payment Terms	
RHOD-01		Net 15 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Julio Ramos		4/11/09

Quantity	Item	Description	Unit Price	Amount
1.00	40 cy Box	Location: Maintenance Shop		
1.00	40 cy Box	Drop Box Ticket #95660 3/25/09 #357	480.00	480.00
		Drop Box Ticket #98740 3/26/09 #322	480.00	480.00
Subtotal				960.00
Sales Tax				
Total Invoice Amount				960.00
Payment/Credit Applied				
TOTAL				960.00

Check/Credit Memo No:

Past due balances are subject to 18% Annual Finance Charge.

Par-3 Landscape & Maintenance, Inc .

4610 Wynn Road, Suite B
Las Vegas, NV 89103

INVOICE

Invoice Number: 771982

Invoice Date: Mar 31, 2009

Page: 1

Duplicate

Voice: 702-253-7878

Fax: 702-253-7879

Bill To:

Rhodes Ranch
20 Rhodes Ranch Parkway
Las Vegas, NV 89148

Ship to:

Customer ID	Customer PO	Payment Terms	
RHOD-01		Net 15 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Julio Ramos		4/15/09

Quantity	Item	Description	Unit Price	Amount
1.00	40 cy Box	Location: Maintenance Shop Drop Box Ticket #98746 3/31/09 #314	480.00	480.00
Subtotal				480.00
Sales Tax				
Total Invoice Amount				480.00
Payment/Credit Applied				
TOTAL				480.00

Check/Credit Memo No:

Past due balances are subject to 18% Annual Finance Charge.

EXHIBIT B

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
 Tel: (702) 382-1170 Fax: (702) 382-1169

James I. Stang, Esq. (CA Bar No. 94435)
 Shirley S. Cho, Esq. (CA Bar No. 192616)
 Werner Disse, Esq. (CA Bar No. 143458)
PACHULSKI STANG ZIEHL & JONES LLP
 10100 Santa Monica Blvd., 11th Floor
 Los Angeles, California 90067-4100
 Telephone: 310/277-6910
 Facsimile: 310/201-0760
 Email: jstang@pszjlaw.com
 scho@pszjlaw.com
 wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)
LARSON & STEPHENS
 810 S. Casino Center Blvd., Ste. 104
 Las Vegas, NV 89101
 Telephone: 702/382.1170
 Facsimile: 702/382.1169
 Email: zlarson@lslawnv.com

Attorneys for Debtors and
 Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:	Case No.: BK-S-09-14814-LBR (Jointly Administered)
THE RHODES COMPANIES, LLC, aka "Rhodes Homes," et al., ¹	Chapter 11
Debtors.	
Affects: <input type="checkbox"/> All Debtors	Hearing Date: August 28, 2009 Hearing Time: 1:30 p.m.

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

☒ Affects the following Debtor(s)
Rhodes Ranch Golf Country Club, LLC 09-
14854-LBR

Courtroom 1

**DECLARATION OF PAUL D. HUYGENS IN SUPPORT OF DEBTORS' OBJECTION
TO PAR 3 LANDSCAPE & MAINTENANCE, INC.'S CLAIM [NON-DEBTOR CLAIM]**

I, Paul D. Huygens, declare as follows:

1. I am the Senior Vice President of Special Projects of the above-captioned Debtors and Debtors in possession. The facts set forth in this Declaration are personally known to me and, if called as a witness, I could and would testify thereto.

2. This declaration is submitted in support of the *Debtors' Objection to Par 3 Landscape & Maintenance, Inc.'s Claim Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 [Non-Debtor Claim]* (the "Objection").

3. I am one of the persons responsible for overseeing the claims reconciliation and objection process in the Debtors' chapter 11 cases. I have read the Objection, and am directly, or by and through my personnel or agents, familiar with the information contained therein, the proposed form of order (the "Proposed Order") and the exhibits attached thereto.

4. The claim and attached information and documentation were carefully reviewed and analyzed in good faith, and the Debtors' books and records were referenced for additional support, utilizing due diligence by appropriate personnel of the Debtors. These efforts have resulted in the identification of the disputed "Non-Debtor Claim", identified in Exhibit "A" to the Objection. I have personally reviewed the Non-Debtor Claim.

5. The Non-Debtor claim relates to expenses of the Rhodes Ranch golf course, which was sold by the Debtors to Rhodes Ranch Golf, Inc. in December 2008. Rhodes Ranch Golf, Inc. is a non-Debtor affiliate of the Debtors. The Debtors have not operated the Rhodes Ranch golf course since December 2008.

6. To the best of my knowledge, information and belief, the claim attached as Exhibit "A" is not a valid claim against the Debtors, but is a claim against non-debtor affiliates


LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

1 of the Debtors. The claimant has no valid legal justification for asserting the filed claim against
2 the given Debtor. As a result, I believe that this claim should be disallowed and expunged by the
3 Court.

4 7. I believe that granting the relief requested in the Objection is in the best
5 interests of the Debtors, their estates and their creditors.

6 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true
7 and correct to the best of my knowledge, information, and belief.

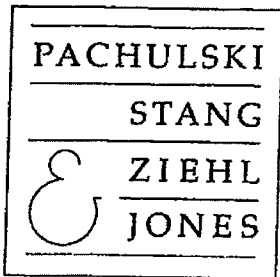
8 Executed this 24th day of July, 2009, at Las Vegas, Nevada.

9 
10 _____
11 Paul D. Huygens

12 LARSON & STEPHENS
13 810 S. Casino Center Blvd., Suite 104
14 Las Vegas, Nevada 89101
15 Tel: (702) 382-1170 Fax: (702) 382-1169
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT

C



LAW OFFICES
LIMITED LIABILITY PARTNERSHIP

LOS ANGELES, CA
SAN FRANCISCO, CA
WILMINGTON, DE
NEW YORK, NY

10100 SANTA MONICA BLVD.
11th FLOOR
LOS ANGELES
CALIFORNIA 90067-4100

TELEPHONE: 310/277 6910
FACSIMILE: 310/201 0760

Michael Matteo

July 8, 2009

mmatteo@pszjlaw.com
310.277.6910

VIA U.S. FIRST CLASS MAIL

Kam Brian
Par-3 Landscape
4510 Wynn Road
Las Vegas, NV 89103

Re: **The Rhodes Companies, LLC, et al.**
USBC Case No. 09-14814 LBR

Dear Kam:

This firm represents Rhodes Ranch Golf Country Club (the "Debtor") in its Chapter 11 bankruptcy filed in the United States Bankruptcy Court for the District of Nevada (Case No. 09-14854 LBR). You filed a proof of claim on behalf of Par-3 Landscape, designated as proof of claim number 3 in the amount of \$1,920.00 in the Debtor's bankruptcy case.

Based on the invoice attached to your company's proof of claim, the claim relates to services or goods provided to the Rhodes Ranch golf course, which is no longer owned by the Debtor. In December 2008, the Debtor sold the golf course to a non-Debtor affiliate called Rhodes Ranch Golf, Inc. Rhodes Ranch Golf, Inc. is not a Debtor in these proceedings and is not in bankruptcy. The Debtor has not operated the Rhodes Ranch golf course since December 2008. Furthermore, it is our understanding that your claim has been or will be paid by Rhodes Ranch Golf, Inc.

SAN FRANCISCO
150 CALIFORNIA STREET
15th FLOOR
SAN FRANCISCO
CALIFORNIA 94111-4500

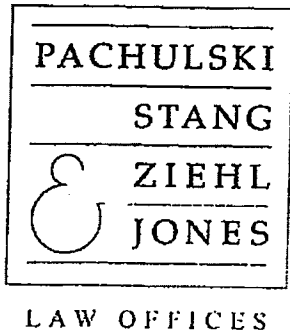
TELEPHONE: 415/263 7000
FACSIMILE: 415/263 7010

DELAWARE
919 NORTH MARKET STREET
17th FLOOR
P.O. BOX 8705
WILMINGTON
DELAWARE 19899-8705

TELEPHONE: 302/652 4100
FACSIMILE: 302/652 4400

NEW YORK
780 THIRD AVENUE
36th FLOOR
NEW YORK
NEW YORK 10017-2024

TELEPHONE: 212/561 7700
FACSIMILE: 212/561 7777



July 8, 2009
Page 2

Therefore, please withdraw your claim by signing and returning the enclosed Notice of Withdrawal of Claim form by July 20, 2009 so that we may avoid having to object to your claim in the Bankruptcy Court. Thank you.

Very truly yours,


Michael A. Matteo, Paralegal

Enclosure

EXHIBIT D

James I. Stang, Esq. (CA Bar No. 94435)
 Shirley S. Cho, Esq. (CA Bar No. 192616)
 David A. Abadir, Esq. (NY Bar No. DA-0741)
 PACHULSKI STANG ZIEHL & JONES LLP
 10100 Santa Monica Blvd., 11th Floor
 Los Angeles, California 90067-4100
 Telephone: 310/277-6910
 Facsimile: 310/201-0760

-and-

Zachariah Larson, Esq. (NV Bar No. 7787)
 LARSON & STEPHENS
 810 S. Casino Center Blvd., Ste. 104
 Las Vegas, NV 89101
 Telephone: 702/382-1170
 Facsimile: 702/382-1169

Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA
 SOUTHERN DIVISION**

In re:

THE RHODES COMPANIES, LLC, aka
 "Rhodes Homes," et al.,¹

Debtors.

Case No.: 09-14814-LBR
 (Jointly Administered)

Chapter 11

Affects:

☐
☒

All Debtors
 Affects the following Debtor(s)

Rhodes Ranch Golf Country Club, LLC
 09-14854-LBR

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818);

ORDER SUSTAINING DEBTOR'S OBJECTION TO PAR-3 LANDSCAPE & MAINTENANCE, INC.'S CLAIM PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007 [NON-DEBTOR CLAIM] [RE DOCKET NO.]

Upon consideration of *Debtor's Objection to Par 3 Landscape & Maintenance, Inc.'s Claim Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007 [Non-Debtor Claim]* (the "Objection"),² filed by The Rhodes Companies, LLC ("Rhodes") and its affiliated debtors (collectively, the "Debtors"), requesting that the Court enter an order disallowing and expunging in full the Non-Debtor Claim; and the Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Objection; the Court hereby finds and determines that, pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure, due and proper notice has been provided to the holder of the claim attached as Exhibit "A" and all other parties entitled to notice; and no other or further notice is necessary; and the relief requested in the Objection is in the best interests of the Debtors, their estates and creditors; and that the legal and factual bases set forth in the Objection establishes just cause for the relief requested therein; therefore IT IS HEREBY ORDERED THAT:

1. Claim number 3 of Par 3 Landscape & Maintenance, Inc. in the amount of \$1,920 filed in the Rhodes Ranch Golf Country Club Case is hereby disallowed; and
2. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order

Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09- 14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20 LLC (Case No. 09-14848); Tuscany Acquisitions IV LLC (Case No. 09-14849); Tuscany Acquisitions III LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, LLC (Case No. 09- 14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

1 APPROVED AS TO FORM AND CONTENT:

2 DATED this ____ day of July 2009.

3 By: _____

4 UNITED STATES TRUSTEE

August B. Landis

5 Office of the United States Trustee

300 Las Vegas Blvd. S., Ste. 4300

6 Las Vegas, NV 89101

7 Submitted by:

8 DATED this __ day of July 2009.

9 By: /s/ Zachariah Larson

10 LARSON & STEPHENS

Zachariah Larson, Esq. (NV Bar No 7787)

11 Kyle O. Stephens, Esq. (NV Bar No. 7928)

810 S. Casino Center Blvd., Ste. 104

12 Las Vegas, NV 89101

(702) 382-1170 (Telephone)

13 (702) 382-1169

zlarson@lslawnv.com

14 *Attorneys for Debtors*

15
16
17
18
19
20
21
22
23
24
25
26
27
28